

MAR 13 2015

## SENATE RESOLUTION

AUTHORIZING THE FORMATION OF A CANCER PRESUMPTIVE LAW TASK FORCE  
TO MAKE RECOMMENDATIONS REGARDING A POTENTIAL CANCER  
PRESUMPTIVE LAW FOR FIREFIGHTERS.

1 WHEREAS, modern personal protective equipment of  
2 firefighters has improved but remains vulnerable to residential  
3 and vehicle fires that often contain concentrated toxicants,  
4 such as plastics and synthetics; and  
5

6 WHEREAS, fire departments have improved their practices for  
7 cleaning protective clothing and breathing apparatuses but  
8 remain vulnerable to multiple carcinogens and toxicants through  
9 incident exposures; and  
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11 WHEREAS, the exposure to toxicants during the course of a  
12 firefighter's career may not be detected or manifest by visible  
13 symptoms, which may lead to a cancer diagnosis well after  
14 retirement; and  
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16 WHEREAS, the risk of cancer arising from toxicant and  
17 general incident exposures is higher among firefighters than the  
18 general population; and  
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20 WHEREAS, in a three-year study completed in 2005 by the  
21 University of Cincinnati, researchers concluded that  
22 firefighters face a higher risk of cancer than the general  
23 population; and  
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25 WHEREAS, statistics from this study show that when compared  
26 to the general population, the risk for firefighters is:  
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- 28 (1) 102 percent higher for testicular cancer;
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- 30 (2) 53 percent higher for multiple myeloma;
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- 32 (3) 51 percent higher for non-Hodgkin's lymphoma;
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- 34 (4) 39 percent higher for skin cancer;
- 35



1 (5) 32 percent higher for brain and malignant melanoma;

2 (6) 29 percent higher for rectal cancer;

3 (7) 28 percent higher for prostate cancer;

4 (8) 24 percent higher for buccal cavity and pharynx  
5 cancer;

6 (9) 22 percent higher for stomach cancer;

7 (10) 21 percent higher for colon cancer; and

8 (11) 14 percent higher for leukemia; and

9  
10 WHEREAS, firefighters face a greater risk of contracting  
11 infectious diseases and illnesses associated with exposure to  
12 patients under their care and biochemical substances due to  
13 bioterrorism; and

14  
15 WHEREAS, the impact is significant on the families of  
16 firefighters diagnosed with cancer including the emotional toil,  
17 financial costs, time, and decreased quality of life on the  
18 firefighter and any spouse and children; now, therefore,

19  
20 BE IT RESOLVED by the Senate of the Twenty-eighth  
21 Legislature of the State of Hawaii, Regular Session of 2015,  
22 that one member of each of the Senate and House of  
23 Representatives committees with primary jurisdiction over health  
24 are requested to convene a cancer presumptive law task force to  
25 evaluate current health and safety issues to firefighters in the  
26 State, including the increased risk of developing cancer and to  
27 make recommendations regarding the necessity and potential  
28 contents of a law establishing a rebuttable presumption that the  
29 nature of firefighting is the cause of certain illnesses, such  
30 as cancer, for purposes of determining service-connected  
31 disability benefits and insurance coverage; and

32  
33 BE IT FURTHER RESOLVED that the task force members include  
34 the following members, to be appointed by the Chairs of the  
35 Senate and House of Representatives committees with primary  
36 jurisdiction over health:



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- (1) A member of the Senate and House of Representatives committees with primary jurisdiction over health, who are requested to facilitate the meetings of the task force;
- (2) A representative from the Department of Health who is familiar with cancer cases in Hawaii;
- (3) A representative from the Disability Compensation Division of the Department of Labor and Industrial Relations;
- (4) A representative from the State of Hawaii Employees' Retirement System;
- (5) A representative from the State Fire Council;
- (6) A representative from the University of Hawaii Cancer Center;
- (7) A representative from the human resources department of each county;
- (8) A representative from the health insurance industry;
- (9) A private attorney familiar with workers' compensation claims; and
- (10) A representative of the Hawaii Fire Fighters Association; and

BE IT FURTHER RESOLVED that the task force select a chair from among its members; and

BE IT FURTHER RESOLVED that the task force submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016; and

BE IT FURTHER RESOLVED that this report include:



- (1) Recommendations, if any, for revisions to the workman's compensation laws to improve and expedite workman compensation benefits for firefighters who are diagnosed with cancer;
- (2) An analysis for cancer patients for the general population compared to firefighters in the State;
- (3) A cost estimate to the State and counties based on projected increases of workman's compensation benefits for firefighters diagnosed with cancer;
- (4) The current fire department safety procedures and protocols related to preventing and reporting of firefighter exposure to toxicants of each county; and
- (5) Recommendations, if any, of department administrative rules that can improve the workman's compensation benefits for firefighters diagnosed with cancer; and

BE IT FURTHER RESOLVED that the task force be dissolved on June 30, 2017; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President of the Senate, Speaker of the House of Representatives, Director of Health, Director of Labor and Industrial Relations, Executive Director of the Employees' Retirement System, Chair of the State Fire Council, directors of the county departments of human resources, Chairperson of the Board of Regents of the University of Hawaii, Chiefs of the county fire departments, and President of the Hawaii Fire Fighters Association.

OFFERED BY:

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